

103-66, title XIII, §13736(a), Aug. 10, 1993, 107 Stat. 663.)

REFERENCES IN TEXT

The Social Security Act, referred to in text, is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended, which is classified generally to chapter 7 (§301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

AMENDMENTS

1993—Pub. L. 103-66 inserted “, and up to \$2,000 per year of income received by individual Indians that is derived from such interests shall not be considered income,” after “resource”.

EFFECTIVE DATE OF 1993 AMENDMENT

Section 13736(b) of Pub. L. 103-66 provided that: “The amendment made by this section [amending this section] shall take effect on January 1, 1994.”

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GENERAL PROVISIONS

§ 1451. Congressional declaration of policy

It is hereby declared to be the policy of Congress to provide capital on a reimbursable basis to help develop and utilize Indian resources, both physical and human, to a point where the Indians will fully exercise responsibility for the utilization and management of their own resources and where they will enjoy a standard of living from their own productive efforts comparable to that enjoyed by non-Indians in neighboring communities.

(Pub. L. 93-262, § 2, Apr. 12, 1974, 88 Stat. 77.)

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-449, § 1, Oct. 4, 1984, 98 Stat. 1725, provided: "That this Act [enacting section 47a of this title and amending sections 1461, 1465, 1481, 1484, 1491, 1497, 1512, 1522, 1523, 1541, and 1543 of this title] may be cited as the 'Indian Financing Act Amendments of 1984'."

SHORT TITLE

Section 1 of Pub. L. 93-262 provided: "That this Act [enacting this chapter] may be cited as the 'Indian Financing Act of 1974'."

§ 1452. Definitions

For the purpose of this chapter, the term—

(a) "Secretary" means the Secretary of the Interior.

(b) "Indian" means any person who is a member of any Indian tribe, band, group, pueblo, or community which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs and any "Native" as defined in the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.].

(c) "Tribe" means any Indian tribe, band, group, pueblo, or community, including Native villages and Native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.], which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs.

(d) "Reservation" includes Indian reservations, public domain Indian allotments, former Indian reservations in Oklahoma, and land held by incorporated Native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.].

(e) "Economic enterprise" means any Indian-owned (as defined by the Secretary of the Interior) commercial, industrial, or business activity established or organized for the purpose of profit: *Provided*, That such Indian ownership shall constitute not less than 51 per centum of the enterprise.

(f) "Organization", unless otherwise specified, shall be the governing body of any Indian tribe, as defined in subsection (c) of this section, or entity established or recognized by such governing body for the purpose of this chapter.

(g) "Other organizations" means any non-Indian individual, firm, corporation, partnership, or association.

(h) "Surety" has the same meaning as in section 694a of title 15.

(i) "Surety Bond" means a bid bond, payment bond, or performance bond as those terms are defined in section 694a of title 15.

(Pub. L. 93-262, § 3, Apr. 12, 1974, 88 Stat. 77; Pub. L. 100-442, § 5(b), Sept. 22, 1988, 102 Stat. 1764.)

REFERENCES IN TEXT

The Alaska Native Claims Settlement Act, referred to in pars. (b) to (d), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, as amended, which is classified generally to chapter 33 (§1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

AMENDMENTS

1988—Pars. (h), (i). Pub. L. 100-442 added pars. (h) and (i).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 450e, 450f, 1484, 2902 of this title; title 7 section 1471; title 10 section 2411; title 12 sections 1787, 1821; title 22 section 2124c; title 26 section 168; title 31 section 7102; title 40 section 483; title 42 section 11332.

§ 1453. Assistance or activities of other Federal agencies unaffected

No provision of this chapter or any other Act shall be construed to terminate or otherwise curtail the assistance or activities of the Small Business Administration or any other Federal agency with respect to any Indian tribe, organization, or individual because of their eligibility for assistance under this chapter.

(Pub. L. 93-262, § 4, Apr. 12, 1974, 88 Stat. 77.)

SUBCHAPTER I—INDIAN REVOLVING LOAN FUND

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 1541 of this title.

§ 1461. Administration as single Indian Revolving Loan Fund sums from diverse sources; availability of fund for loans to Indians and for administrative expenses

In order to provide credit that is not available from private money markets, or to supplement funds from private lenders, including loans guaranteed by the Secretary pursuant to section 1481 of this title, all funds that are now or hereafter a part of the revolving fund authorized by the Act of June 18, 1934 (48 Stat. 986) [25 U.S.C. 461 et seq.], the Act of June 26, 1936 (49 Stat. 1967) [25 U.S.C. 501 et seq.], and the Act of April 19, 1950 (64 Stat. 44) [25 U.S.C. 631 et seq.], as amended and supplemented, including sums received in settlement of debts of livestock pursuant to sections 442 and 443 of this title, and sums collected in repayment of loans heretofore or hereafter made, and as interest or other charges on loans, shall hereafter be administered as a single Indian Revolving Loan Fund. The fund shall be available for loans to Indians having a form of organization that is satisfactory to the Secretary and for loans to individual Indians: *Provided*, That, where the Secretary determines a rejection of a loan application from a member of an organization making loans to its membership from moneys borrowed from the fund is unwarranted, he may, in his discretion, make a direct loan to such individual from the fund. The fund shall also be available for administrative expenses incurred in connection therewith, or, in the discretion of the Secretary of the Interior, as a contribution to the Indian Loan Guaranty and Insurance Fund authorized by section 1497 of this title, or for the payment of interest subsidies authorized by section 1511 of this title.

(Pub. L. 93-262, title I, § 101, Apr. 12, 1974, 88 Stat. 78; Pub. L. 98-449, § 2, Oct. 4, 1984, 98 Stat. 1725; Pub. L. 101-644, title III, § 303(a), Nov. 29, 1990, 104 Stat. 4667.)